

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

SONY BMG CD  
TECHNOLOGIES LITIGATION

Case No. 1:05-cv-09575-NRB

**DECLARATION OF Dennis A. Burke IN SUPPORT OF PLAINTIFFS'  
CLASS COUNSELS' APPLICATION FOR ATTORNEYS' FEES AND  
REIMBURSEMENT OF EXPENSES**

I, Dennis A. Burke declare as follows:

1. I am an attorney in good standing, duly licensed and admitted to The State Bar of California and the Southern District Federal Court.. I am a principle of The Law Offices of Dennis A. Burke, counsel of record for Aree L. Burke in Aree L. Burke vs. Sony BMG Music Entertainment GIC 857213. A true and correct copy of **Martindale-Hubbell** is attached hereto as Exhibit 1 and incorporated by reference herein.

2. I submit this declaration in support of Plaintiffs' Class Counsels' application for attorneys' fees and reimbursement of expenses in the above-entitled matter. The testimony set forth in this declaration is based on first-hand knowledge, about which I would and could testify competently in open court if called upon to do so, and on contemporaneously-generated records kept in the ordinary course of business.

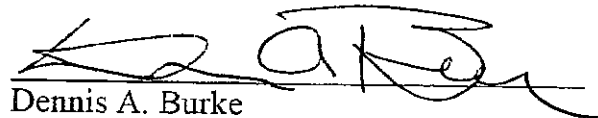
2. The total number of professional hours expended in the litigation by The Law Offices of Dennis A. Burke is 13.85 hours. The hourly rate for Dennis A. Burke is \$350.00 an hour. Total fees therefore is \$4,760.00. The chart attached hereto as Exhibit 2 was prepared at my direction and presents a summary of the time spent from November 18, 2005 through February 13, 2006 by attorneys, paralegals, and professional staff of the firm on the litigation. The chart includes the name of each attorney, paralegal, and professional staff member who has worked on the case, his or her current hourly billing rate, and the number of hours expended by each professional on this matter. The time reflected in this

declaration was time actually spent, in the exercise of reasonable judgment, by the laws and staff involved. The attorneys and legal professionals identified in Exhibit B spent time on matters that were essential to the prosecution and resolution of the litigation. My firm was careful not to expend unnecessary hours and not to duplicate work done by others.

3. This firm expended a total of \$853.50 in unreimbursed expenses in connection with prosecution of the litigation on behalf of Aree L. Burke. The expenses incurred in this case are reflected in the books and records of the firm. These books and records are prepared from expense vouchers, check records, and other contemporaneously-recorded billing records, are an accurate record of expenses incurred in this litigation. The chart attached hereto as Exhibit 3, also prepared at my direction, details these expenses.

I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct.

Executed this 28th day of March, 2006, at San Diego, Ca.

  
Dennis A. Burke

LexisNexis® Martindale-Hubbell® - Print Listing

[http://www.martindale.com/xp/Martindale/Lawyer\\_Locator/Search...](http://www.martindale.com/xp/Martindale/Lawyer_Locator/Search...)

*Ex: 1 1*



**Private Practice Lawyer Profile for Dennis A. Burke**

**Dennis A. Burke**  
5151 Murphy Canyon Road  
San Diego, California  
(San Diego Co.)

BV Peer Review Rated

Born 1956; Admitted 1982; Siena College, B.S.; California Western School of Law, J.D.

ISLN: 908669934

**Exhibit 2****Billing Sheet for Aree L. Burke vs. Sony BMG Music Entertainment**

11/18/05 - research for filing of complaint by Dennis A. Burke	5.0 hrs.
11/19/05 - draft complaint	5.0 hrs.
11/21/05 - file complaint at San Diego Superior Court	1.0 hrs.
12/1/05 - review Los Angeles Superior court order	.5 hrs.
12/12/05 - review letter from co-plaintiff attorney re: possible coordination	.25 hrs.
12/15/05 - review letter re: conf. call	.1 hrs.
12/16/05 - conference call with co-plaintiffs	.25 hrs.
12/20/05 - telephone call Scott Kamber	.25 hrs.
2/13/06 - review projected settlement	1.5 hrs.
Total time	13.85 hrs.
Hourly rate \$350.00 all work performed by Dennis A. Burke	\$4,847.50

Exhibit 3

Expense record for Burke vs. Sony BMG Music Entertainment

11/21/05 filing fee for complex case

\$853.50